

REMARKS

In accordance with the foregoing, claims 1-6, 8-14, 16-22 and 24 have been canceled, and claims 25 and 26 have been added. Thus, claims 7, 15, 23, 25 and 26 are pending and under consideration. Reconsideration is respectfully requested. No new matter is presented.

REJECTIONS UNDER 35 U.S.C. §103:

In items 5-8 spanning pages 2-5 of the June 28, 2005 Office Action, claims 1, 4, 8, 9, 12, 16, 17, 20 and 24 were rejected under 35 U.S.C. §103(a) as unpatentable over William Jackson, Government Computer News, "SinaNet uses proprietary technology to translate Chinese text messages," vol. 17, no. 19, p. 52; June 29, 1988 (hereafter "Jackson") and further in view of U.S. Patent 5,428,458 to Aiba et al. (hereafter "Aiba"). In items 9-12 spanning pages 5-7 in the Office Action, claims 5-7, 13-15 and 21-24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Jackson and Aiba and further in view of U.S. Patent 5,966,685 to Flanagan et al. (hereafter "Flanagan"). The rejections are respectfully traversed below.

As amended, claim 7 recites in part: "the synthesized image data including the image data of the sentence described by at least two lines and the translated image data of the translation results of the sentence inserted between the at least two lines" (claim 7, lines 22-24). In other words, referring to Figs. 15 and 16, "the synthesizing unit ... forms a synthesized image file obtained by synthesizing an original (Japanese sentence) and a translated sentence ... The synthesizing unit ... pastes the edited image files at predetermined positions in accordance with predetermined format information" (specification, page 28, lines 18-24). In this case the predetermined format information is described by two or more lines between which the synthesized image data is inserted as depicted in Fig. 16. Support for this embodiment and amendment is found in the drawings at least in Figs. 15 and 16, as well as in the specification at least at page 25; lines 3-25; page 28, lines 18-24; page 29, lines 1-11; page 39, lines 7-18; page 42, lines 1-3; and page 43, lines 2-13. Nothing has been cited or found in Jackson, Aiba and Flanagan either considered together or taken individually that teaches or suggests the synthesized image data inserted between two or more lines as recited in claim 7 as amended.

In addition, the Office Action is silent as to whether the applied art shows "a judging unit judging whether to form image data of a text file corresponding to the sentence based on the information stored in the storing unit" (claim 7, lines 6-7). Nothing has been cited or found in Jackson and Aiba either considered together or taken individually that teaches or suggests this judging element of claim 7 as amended. Thus, claim 7 is allowable for at least this reason.

Further, Jackson does not contain an enabling disclosure of the structural and functional features of "a storing unit storing information in response to a destination of an electronic mail, the information indicating whether a sentence to be included in the electronic mail is text-displayable based on text data on the basis of a character code system used at the destination of the electronic mail" (claim 7, lines 2-5) and nothing has been cited or found in Jackson and Aiba either considered together or taken individually that teaches or suggests this storing element.

Furthermore, Aiba is non-analogous art and was combined with the primary reference based on impermissible hindsight. In contrast to facilitating translation of an e-mail message to either text or image data in another language other than the original language based on the destination of the e-mail, as described in the specification at least at page 13, lines 2-25, by "judging whether to form image data of a text file corresponding to the sentence based on the information stored in the storing unit" (claim 1, lines 6-7). Aiba is directed to printing a document on a printer connected in a communications network in a page description language such as LIPS or PostScript sent via facsimile over the communications network (see, column 16, line 55 to column 17, line 2 of Aiba, cited in the sentence spanning pages 3-4 of the Office Action). Thus, Aiba has nothing to do with translation of an electronic message from a source language to the destination language of the e-mail message. Thus, independent claim 7, distinguishes over the applied art references Jackson and Aiba either considered together or taken individually.

As amended, claim 15 recites in part: "the synthesized image data including the image data of the sentence described by at least two lines and the translated image data of the translation results of the sentence inserted between the at least two lines" (claim 15, lines 19-21) in a manner similar to claim 7. Thus, claim 15 is allowable for at least the reasons discussed above in regard to claim 7, concerning formation of the synthesized image data, as well as the lack of an enabling disclosure of the Jackson reference and the non-analogous art reference Aiba.

In addition, claim 15 as amended, recites in part, "judging whether to form image data of the text file corresponding to the sentence based on the information read out from the storing unit and reading information" (claim 7, lines 6-7). The Office Action admitted that "Jackson does not explicitly teach judging whether to form image data of the text file corresponding to the sentence based on the information read out from the storing unit and reading information" (Office Action, page 3, lines 4-7). Next, the Office Action asserted that Aiba shows the limitations missing in Jackson. However, what was cited in Aiba in the sentence spanning pages 3-4

of the Office Action is an "apparatus ... judged from the telephone number stored in the backup memory" (column 16, line 55 to column 17, line 2) and is directed to the non-analogous art of printing a document on a printer connected in a communications network in a page description language such as LIPS or PostScript sent via facsimile over the communications network. Therefore, Aiba has nothing to do with translation of an electronic message from a source language to the destination language of the e-mail message. Thus, for at least these reasons, independent claim 15 distinguishes over the applied art references Jackson and Aiba either considered together or taken individually.

Independent claim 23 as amended recites in part: "the synthesized image data including the image data of the sentence described by at least two lines and the translated image data of the translation results of the sentence inserted between the at least two lines" (claim 23, lines 18-20) in a manner similar to claim 7. Thus, claim 23 is allowable for at least the reasons discussed above in regard to claim 7, concerning formation of the synthesized image data, as well as the lack of an enabling disclosure of the Jackson reference and the non-analogous art reference Aiba.

In addition, claim 23 as amended, recites in part, "judging whether to form image data of the text file corresponding to the sentence based on the information read out from the storing unit and reading information" (claim 23, lines 8-9) in a manner similar to claim 15. Thus, claim 23 is allowable for at least the reasons discussed above in regard to claim 15.

NEW CLAIMS:

Claim 25 has been added to recite the generation of image data as disclosed in the specification, including "translating a sentence ... into ... a second language that is used at the destination of the electronic mail; and forming image data of the sentence from the text data, including translated image data of the translated text data inserted between two lines of the sentence" (claim 25, lines 3-7) and claim 26 adds that "the first language uses characters that are not used in the second language." It is submitted that these new claims patentably distinguish over Jackson and Aiba either considered together or taken individually for reasons similar to those discussed above.



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CONCLUSION:

For at least the reasons discussed above, and there being no further outstanding objections or rejections, it is submitted that claims 7, 15, 23, 25 and 26 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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